

PROB 12C
(7/93)

Report Date: August 16, 2013

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

AUG 16 2013

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Petition for Warrant or Summons for Offender Under Supervision

SEAN F. McAVOY, CLERK DEPL
SPOKANE, WASHINGTON

Name of Offender: Alfred Joseph Muse

Case Number: 2:07CR00138-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: September 4, 2008

Original Offense: Possession with Intent to Distribute Ecstasy, 21 U.S.C. § 841(a)(1), (b)(1)(c)

Asst. U.S. Attorney: Aine Ahmed **Date Supervision Commenced:** February 22, 2012

Defense Attorney: Jaime Hawk **Date Supervision Expires:** December 21, 2014

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Mandatory Condition # 4: The offender shall refrain from any unlawful use of a controlled substance. The offender shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.</p> <p>Supporting Evidence: On August 14, 2013, Alfred Muse admitted to the undersigned officer his consumption of marijuana during the prior 3 weeks. He further signed an admission of drug use form reflecting said admission.</p>
2	<p>Standard Condition # 2: The offender shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.</p> <p>Supporting Evidence: Alfred Muse failed to submit his monthly report as directed for June 2013, which was due on or before July 5, 2013. He also failed to submit his monthly report for July 2013, which was due on or before August 5, 2013.</p>

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3 **Standard Condition # 3:** The offender shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On August 14, 2013, Alfred Muse was directed to report to the U.S. Probation Office in person at 9 am on August 16, 2013. Mr. Muse failed to report as directed, and at the time of this report, his whereabouts are unknown.

4 **Standard Condition # 5:** The offender shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: Alfred Muse is not currently employed or attending school. He previously was attending school at Spokane Community College, and working at American Directions Group. However, at this time it appears he has quit his employment at American Directions Group, and is not attending school.

5 **Standard Condition # 6:** The offender shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: After attempts were made via letter and in person to contact Mr. Muse at the Bernard Oxford House, his last reported residence, he was directed to report in person to the U.S. Probation Office on August 14, 2013. At the time of the meeting, Mr. Muse admitted to the undersigned officer, he was voted out of the Bernard Oxford House on July 22, 2013. To date he has not submitted an approved relocation address.

6 **Standard Condition # 10:** The offender shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.

Supporting Evidence: Given the fact Mr. Muse has moved out of the approved Oxford House, and has not provided his current address, the probation office is unable to conduct contacts with the offender at his residence.

7 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Following the offender's admission of drug use on August 14, 2013, Mr. Muse was directed to schedule an appointment at Adept Assessment-Treatment Center to address his substance abuse. To date he has failed to schedule an appointment as directed.

8 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Alfred Muse failed to report for urinalysis testing as directed on August 15, 2013, at Adept Assessment-Treatment Center.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 8/16/2013

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer



August 16, 2013

Date